

REMARKS

In the April 26, 2004 Office Action, claims 9 and 11 are objected to for minor informalities, and the rejections of claims 1-9 and 12 under 35 U.S.C. 103(a) as being unpatentable over Dvorak in view of Ossian et al. and claim 10 under 35 U.S.C. 103(a) as being unpatentable over Dvorak in view of Williams, are made final. Also, claim 11 is indicated as being allowable.

By the present amendment, claims 1, 7 and 9 are amended and claim 11 is canceled, leaving claims 1-10 and 12 pending in the application with claim 1 being independent. Claim 1 is amended to include all of the limitations of allowable claim 11, and claim 11 is canceled. Additionally, claims 1 and 9 are amended to change "breaking agglomerated particles" to "breaking the particles" as suggested in the Office Action. Claim 7 is amended to include the missing article "the."

Since claim 1 includes all of the limitations of allowable claim 11, claim 1 is believed to be in allowable condition. Moreover, the remaining claims 2-10 and 12 each depend in some manner from claim 1, and thus are also in allowable condition.

Prompt and favorable action is therefore respectfully solicited.

If a Notice of Allowance is not issued by August 26, 2004, Applicant requests that the Examiner call the undersigned attorney to determine whether a Petition for an Extension of Time and/or a Notice of Appeal should be filed. In the event that a Petition for an Extension of Time is required, Applicant hereby petitions under 37 CFR 1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized above. Please charge any shortage or credit any overpayment of fees to BLANK ROME LLP, Deposit Account No. 23-2185 (103286-00101)

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Respectfully submitted,

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